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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MARK AARON HAYNIE, BRENDAN
JOHN RICHARDS, THE CALGUNS
FOUNDATION, INC., and THE
SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs.

,
vs.
KAMALA HARRIS,
of California (in her
and CALIFORNIA DEPARTMENT
OF JUSTICE, CITY OF
PARK, OFFICER DAVIS,
(RP134), and DOES
Defendants

BRENDAN JOHN RICHARDS, THE
CALGUNS FOUNDATION, INC.,
and THE SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs.

vs.
KAMALA HARRIS, Attorney General
of California (in her official capacity)
and CALIFORNIA DEPARTMENT
OF JUSTICE, SONOMA COUNTY
SHERIFFS' OFFICE, SHERIFFS'
DEPUTY GREG MYERS (SD1023)
and DOES 1 TO 20,
Defendants.

Case Nos.: 3:10-CV-01255 SI
3:11-CV-02493 SI
(Consolidated Cases)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION to
CONSOLIDATE CIVIL ACTIONS**

Fed.R.Civ.P. 42

ND CA Rule 7-11

Case No.: 3:11-CV-05580 SI
(Related Case)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION to
CONSOLIDATE CIVIL ACTIONS**

Fed.R.Civ.P. 42

ND CA Rule 7-11

1 MAX JOSEPH PLOG-HOROWITZ,
2 THE CALGUNS FOUNDATION,
3 INC., and THE SECOND
4 AMENDMENT FOUNDATION, INC.,
Plaintiffs,

5 vs.
6 KAMALA HARRIS, Attorney General
7 of California, CALIFORNIA
8 DEPARTMENT OF JUSTICE,
COTATI POLICE DEPARTMENT,
9 CITY OF COTATI, ANDREW
LYSSAND (CO0339) and DOES 1 TO
10 20,

11 Defendants.

Case No.: 3:12-CV-0452 LB
(Related Case)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION to
CONSOLIDATE CIVIL ACTIONS**

Fed.R.Civ.P. 42

ND CA Rule 7-11

12 IT IS HEREBY STIPULATED by and between the parties hereto through
13 their respective attorneys of record that the following four (4) related civil actions be
14 consolidated pursuant to Fed.R.Civ.P. 42.:

- 15 1. *Haynie v. Harris*, Case No.: 3:10-CV-01255 SI was ordered
16 consolidated with *Richards v. Harris*, Case No.: 3:11-CV-02493 SI, in
17 an ordered filed on October 22, 2011. (See Documents # 42 and #15
18 respectively.)
- 19 2. The second *Richards v. Harris*, Case No.: 3:11-CV-05580 SI was
20 ordered to be related with the first two cases in an order filed on
21 December 21, 2011. (See documents #47 and # 20 respectively.)
- 22 3. The final (4th) case, *Plog-Horowitz, et al., v. Harris, et al.*, Case No.: CV-
23 12-0452 SI was ordered to be related to the first three (3) cases in an
24 order filed on March 1, 2012 (See Documents # 53, #17 and #5
25 respectively.)

26 This consolidation is subject to the following terms:

- 27 I. The cases are consolidated for purposes of pre-trial motions, including but not
28 limited to motions by any party under Fed.R.Civ.P. 12 and/or 56.

- 1 II. All Defendants reserve the right to sever the cases for if/when they proceed to
 2 trial.
- 3 III. The cases shall be consolidated under the earliest case number: *Richards v.*
 4 *Harris*, Case No.: 3:11-CV-02493 SI.
- 5 IV. The remaining case numbers shall be dismissed.

6 **SO STIPULATED.**

7 Date: September 4, 2012

8 _____/s/
 9 Ross Moody,
 Counsel for Defendants
 Harris & California Dept. of Justice

10 Date: September 4, 2012

11 _____/s/
 12 Donald Kilmer
 Counsel for Plaintiffs

13 Date: September 4, 2012

14 _____/s/
 15 Robert W. Henkels
 Counsel for Defendants
 City of Rohnert Park & Becker
 City of Cotati & Lyssand

16 **ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND
 LOCAL RULE VIII.B.**

17 I, Donald Kilmer, declare under penalty of perjury under the laws of California
 18 and the United States that I have in my possession e-mail correspondence from
 19 Ross Moody and Robert Henkels that the content of this document is acceptable to
 all persons required to sign the document. I declare that this document was signed
 in San Jose, CA on September 4, 2012.

20 _____/s/
 21 Donald Kilmer
 Attorney for Plaintiffs

22 **FINDINGS AND ORDER**

23 Pursuant to the stipulation of the parties and Fed.R.Civ.P. 42, all four cases
 24 are consolidated under *Haynie v. Harris*, Case No.: CV 10-1255 SI. Remaining case
 25 numbers are dismissed. All Defendants have the right to seek separate trials if the
 26 cases proceed to that stage.

27 Date:

28 _____/s/
 United States District Judge